

March 11, 2016

South Dakota Department of Education, Attn: Ferne Haddock  
800 Governors Drive,  
Pierre, South Dakota 57501

**RE: Article 24:44 Restraint and Seclusion – Comment Letter**

To whom it may concern,

We would like to thank you for the opportunity to provide comment on behalf of the 30,000 active members of the Crisis Prevention Institute (CPI) Instructor Association regarding the proposed adoption of **Article 24:44**. For over 35 years, CPI has been active in training educators in the skills necessary to manage a crisis situation and to safely intervene physically when required. We share the South Dakota Board of Education goals of reducing restraint through an emphasis on prevention and early intervention, and by focusing on appropriate restraint policies intended to reduce the risks of performing restraints.

As a general matter, CPI applauds the South Dakota Board of Education for its efforts in creating a comprehensive set of guidelines for staff to follow on the use of restraint with students. With that said, CPI would offer a few specific recommendations to the policy to improve the clarity and effectiveness of the rule for school staff as follows:

24:44:04:05. Debriefing:

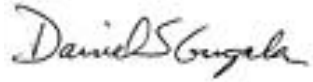
Stated Policy: If the parent, emancipated student or unaccompanied minor requests a debriefing session after the imposition of emergency safety intervention upon a student, it shall be held within five school days of the request.

CPI Recommendation: After a crisis has occurred, debriefing everyone involved in the incident (students and staff) helps uncover useful information to help prevent the behavior from reaching a crisis level in the future. CPI recommends mandating debriefing of both the student and staff after each incident resulting in the use of restraint or emergency separation.

CPI believes that the South Dakota Board of Education incorporated many of the most important considerations within the policy that have proven to result in a successful adoption as seen in other, similar policy statements. In fact, many of the inclusions such as implementation of positive behavioral techniques in annual training, clear last resort rules around restraint, and parental notification are sometimes overlooked elements in a policy such as this. We understand how challenging the drafting of a rule like this is and commend the Board for its efforts. We appreciate the opportunity to comment on this important policy and hope that you find these recommendations helpful. Should you have any further questions, or

have an interest in discussing the recommendations I would encourage you to contact me via phone or email.

Sincerely,

A handwritten signature in black ink that reads "Daniel Gugala". The signature is written in a cursive style with a large initial "D" and "G".

Daniel Gugala  
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